

**CITY OF ANGELS
CITY COUNCIL
AGENDA
Tuesday, October 4, 2016**

Mayor	Wes Kulm	ANGELS FIRE HOUSE
Vice Mayor	Amanda Folendorf	1404 Vallecito Road
Council Members	Elaine Morris	Angels Camp, CA
	Bert Sobon	209-736-2181
	Scott Behiel	

City Administrator	Michael McHatten	City Attorney Derek Cole
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City Council appreciates your interest and encourages your participation. Regularly scheduled meetings are held the 1st and 3rd Tuesday of each month. The Agenda is divided into two sections:

CONSENT AGENDA: These matters include routine financial and administration actions and are usually approved by a single majority vote.

REGULAR AGENDA: These items include significant financial and administration action of special interest, hearings and work sessions.

NOTE: The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Council Members. **All questions shall be directed to the Mayor who, at his/her discretion, will refer to staff.**

5:00 p.m. CALL TO ORDER

ADJOURN TO CLOSED SESSION

PURSUANT TO CALIFORNIA CODE SECTION 54957: Performance Evaluation – City Administrator

6:00 p.m. REGULAR MEETING

PLEDGE OF ALLEGIANCE

ACTION TAKEN IN CLOSED SESSION – September 20, 2016

ACTION TAKEN IN CLOSED SESSION – October 4, 2016

APPROVAL OF AGENDA

STAFF UPDATES - Informational item only – No action will be taken
Consolidated Staff Report

COUNCIL UPDATES

Informational item only – No action will be taken

PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. **State law prohibits the City Council from acting upon matters not listed on the agenda.** Matters raised by the public will be automatically referred to Staff or placed on the next meeting's Agenda. Each speaker has a maximum of three minutes for public comment. The Mayor may reduce the amount of time based on the number of persons wishing to speak. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not disrupt the meeting or use profanity.

CONSENT AGENDA

The following Consent Agenda items are expected to be routine. They will be acted upon by the Council at one time without discussion. Any Council Member, staff member or interested person may request that any Consent items be removed for discussion.

- a. Approve Minutes of Regular meeting for September 20, 2016.

REGULAR AGENDA

1. **PUBLIC HEARING - REVISED MASTER FEE SCHEDULE** – Julie McManus, Finance Officer
Council Action: APPROVE RESOLUTION NO. 16-37. A RESOLUTION ADOPTING THE REVISED MASTER FEE SCHEDULE
2. **RE-INTRODUCE ORDINANCE NO. 478. AN ORDINANCE ADDING CHAPTER 8.26 OF THE CITY OF ANGELS MUNICIPAL CODE REGULATING SMOKING WITHIN THE CITY OF ANGELS AND ADDING CHAPTER 17.78.034 CONCERNING ADDITIONAL FINDINGS AND CONDITIONS FOR THE ESTABLISHMENT OF SMOKING OUTPOSTS**
– Derek Cole, City Attorney
Council Action: ADD CHAPTER 8.26 TO THE CITY OF ANGELS MUNICIPAL CODE REGULATING SMOKING WITHIN THE CITY OF ANGELS AND ADD CHAPTER 17.78.034 CONCERNING ADDITIONAL FINDINGS AND CONDITIONS FOR THE ESTABLISHMENT OF SMOKING OUTPOSTS WAIVE READING
3. **ADOPT A RESOLUTION APPROVING ABATEMENT COST FOR MITIGATING FIRE HAZARDS/PUBLIC NUISANCE ON ONE (1) CITY PARCEL** – Nathan Pry, Fire Marshall/Deputy Fire Chief
Council Action: ADOPT RESOLUTION NO. 16-36. A RESOLUTION CONFIRMING THE COSTS TO ABATE A PUBLIC NUISANCE ON CALAVERAS COUNTY ASSESSOR PARCEL NUMBER 058-080-007 LOCATED AT 763 GRINDING ROCK ROAD AND DIRECTING A SPECIAL ASSESSMENT AND LIEN UPON THE PARCEL IN THE AMOUNT OF \$723.80

CALENDAR

ADJOURNMENT

Anyone wishing to receive City Council agendas may submit a self addressed stamped envelope or your email address to City Hall and agendas will be mailed or emailed to you. This request must be renewed at the beginning of each calendar year. For further information, please contact the City Clerk at City Hall 736-2181, or email marykelly@angelscamp.gov Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, 584 S. Main St., Angels Camp 72 hours prior to the scheduled meeting. In compliance with Title II of the Americans With Disabilities Act, 28 CFR Part 36, if you require any disability related modification or accommodation, including auxiliary aids or services in order to participate in this meeting, please contact City Hall at (209)736-2181 or fax your request to Mary Kelly at (209)736-0709. Notification must be made 72 hours in advance of the meeting to ensure accessibility. Agendas and other writings may also be requested in alternative formats, as outlined in Section 12132 of the Americans with Disability Act.


CONSOLIDATED REPORT

CITY OF ANGELS PO Box 667, 584 S.Main St., Angels Camp, CA 95222 P: (209) 736-2181 F: (209) 736-0709

FOR THE MEETING OF: October 4, 2016

TITLE: STAFF UPDATES, HIGHLIGHT REPORT

BY: Michael C. McHatten, City Administrator

APPROVED:  _____

HIGHLIGHTS

ADMINISTRATION

- **Director of Administrative Services (DAS) processed final paperwork for terminating Police Officer in our system who took a position with another agency.**
- **DAS met with representative from American Fidelity to discuss employee supplemental benefits.**
- **East Bay Brass has poured the frog plaque and will paint, sand and clear spray. Delivery is expected by next week.**
- **Ordered dumpsters for Mark Twain Festival from Cal Waste.**
- **Revised job descriptions for Water/Wastewater and Public Works as requested by staff.**
- **Informed new Council Members of the ethics training scheduled for October.**
- **Work continues at the LLD Wetlands. Staff is working to coordinate a meeting with Grupe next week to discuss additional steps beyond the current project scope.**

FINANCE

- **Additional requests were incorporated in the accounting system and budget was posted in the system.**
- **Teleconference was held with representatives from Hilltop Securities and W. J. Fawell Co to discuss refinance of wastewater USDA loan which has a maturity date in 2044. Conditions look favorable for a reduction of costs from a refinance and Staff will continue to move forward with this project in the next two months.**
- **A meeting was held with a phone company to restart a project to replace City phone systems with a less expensive, more connected version. Staff is hoping to have three quotes for the phone system project and make a decision by 1st quarter of 2017.**
- **Comprehensive budget information was put together for the Water system to communicate to the consultants working on the water rate budget. Additional work was completed to identify current water connections for the rate study.**
- **Work was completed on financial close of 2015-16 street and road expenditures in order to prepare for the completion of the Annual Street Report, which should be completed by week's end.**

PUBLIC SAFETY

- The Fire Department responded to a total of 16 calls for service from 9-13-16 to 9-27-16.
- **The Fire Department responded an engine and on duty crew to a structure fire on Wednesday September 21st at 0230hrs. The fire was on Mt. View St. in Angels Camp. The City on duty crew was first to arrive at scene to a structure that was 80% involved with fire and threatening neighboring residences. We took command of the fire and began protecting the adjacent residential exposures. Fire was contained around 0930hrs, and the cause of the fire is still under investigation. Some minor damage was sustained to the exterior of both neighboring structures. The building of origin is considered to be a total loss.**
- **The Fire Department responded an Engine and crew as part of a Type V strike team of engines to Carmel, CA. for the Sobranos Fire. The Engine has been gone approximately 14 days.**
- **The Fire Department worked with the owner of a residence on Live Oak Dr. to clear his property of combustible weeds.**
- **The Fire Department hosted two Mark Twain Elementary School 1st grade classes for a tour and fire safety discussion at the fire station.**
- On 09/17 Officer Darien Wilson was on patrol when he noticed two wanted subjects drive past him. He attempted a vehicle stop near SR 4 and Angel Oaks Drive that resulted in a vehicle pursuit. The pursuit terminated near the intersection of SR 4 and Stallion, when the suspect vehicle became partially disabled. As Officer Wilson and an assisting deputy approached on foot, the suspect driver steered the disabled vehicle toward them twice, in an attempt to run them over. The suspect eventually exited the vehicle and he and his wanted passenger were taken into custody.
- On 09/27 Officer Chris Johnson made a traffic stop on a vehicle for no front license plate, occupied by a person that identified himself as a marijuana cultivator. During the course of the stop it was discovered that the driver, from Modesto, was on his way home and was in possession of a 9 MM pistol and an expired permit to carry a concealed weapon. His pistol was recovered as evidence, and he was arrested and released on a citation for carrying a loaded firearm in public, as well as the traffic infraction.
- On Thursday, 09/29 Chief Fordahl will attend training hosted by the Calaveras County Office of Education. This one-day workshop provides school-based mental health professionals, administrators, security professionals, and other educators the knowledge and resources to help them establish and sustain comprehensive school safety and crisis prevention and preparedness efforts. With updated research and strategies, this workshop makes a clear connection between ongoing school safety and crisis preparedness. It will emphasize the unique needs and functions of school teams and the steps involved in developing these teams, including a model that integrates school personnel and community provider roles. The workshop also explores how to prepare for school crises by developing, exercising, and evaluating safety and crisis plans.

COMMUNITY DEVELOPMENT

- Staff completed administrative duties, such as approved Home Occupation Permits, Sign Permits, Department Bills, business licenses and review building permit applications for setbacks and lot coverage issues.
- Staff met with Caltrans on the Relinquishment Agreement and we will probably have it by end of this month.
- Staff is continuing to work with Calaveras Council of Governments (CCOG) and San Joaquin Council of Government Staff on the repackaging the Project Study Report (PSR)/Project Information Document PID to get into Project Approval and Environmental Determination (PA&ED) faster for the 4/49 Improvements which includes Angels Oaks and Foundry Lane. Staff is also working with Caltrans on potentially getting those improvements paid for out of the SHOPP program through Caltrans. There will be more detail on this as information becomes available.
- Staff is working with Dollar General on a Development Application. Dollar General is looking to do the building permit review and the entitlement process concurrently so that the project will be ready to go to construction after the entitlement process is concluded.
- Staff is working with SJCOG Staff in association with CCOG Staff to get the Murphys Grade Road project out for Request For Proposal (RFP) for Design and Environmental in October.
- **Staff attended the Local Area Formation Commission (LAFCO) meeting where the main discussion centered on the County's Community Plan and Safety Elements of the General Plan.**
- **Staff attended an Advisory Committee meeting for the Downtown Sustainable Communities Grant where the committee went over design alternatives and parking alternatives for the Downtown Project Area.**
- **Staff attended the Technical Advisory Committee (TAC) meeting at the BOS chambers where the main topics centered around the final quarter of the Transit Report, the City's/49 operational improvement scenario.**
- **Staff attended a Destination Angels Camp (DAC) Executive Committee.**
- **Staff received building plans for the new Dollar General store.**
- Greenhorn Creek residents have been trimming trees that were reported as hazards. Next step is to send letters to property owners next week.
- A timetable, plans and bids will be put in place for removal and replacement of stairs from Raspberry Parking Lot to South Main Street. Plans for new stairs will be brought to Angels Camp Planning Commission for approval.

ENGINEERING AND PUBLIC WORKS

- **The GHC Main Pond Maintenance project has started removing the cattails with two equipment barges. The current operation is cutting the cattails with a mower barge and collecting the floating debris with another conveyor barge.**

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- A broken water main on Bennett Street was repaired on 9-23-16. The water was off to the residents for almost 5 hours.
- A fire hydrant was hit during an accident and so it will be out of service until it can be repaired. This fire hydrant is located at Acorn Drive and Angels Oaks Road.
- The Baker Street and Bush Street Sewer Improvement Project is being advertised and the date the bids are due is October 7th.
- The crews have been doing additional community work; putting up signs for the Gold Run highway detour, removing the American flags, and installing the Wild West festival banner.
- The firefighter base camp for the Marshes Fire is at the Calaveras County Fairgrounds. The City will be involved by setting a meter for potable water from a fire hydrant and a location to dump grey water.

MUSEUM

- Museum Foundation donated one family membership (value \$50) to each of the following nonprofit organization events: Sierra Business Council's Sierra Nevada Geotourism Auction; Sierra Child & Family Services; and the Habitat for Humanity Calaveras Annual Hoedown. The Angels Camp Museum is proud to support our local community.
- 128 locals (and a few tourists) visited the museum on Saturday 24 to celebrate free admission on museum day. The event included artisan and stamp mill demonstrations, hands-on activities for kids, live music by Sierra Mountain Band, and Johnny's Food Truck. A fun day for our community to have the chance to check out all the great projects going on at their neighborhood museum.
- Many thanks to: Edward Treuting (\$100), James Fletcher (\$40), an anonymous donor (\$800) and the community (\$200) for their contributions towards the campaign for heating & air conditioning units in the Carriage House on 9/24/16.
- With tremendous pride the Museum Team happily announces that in just over one year, the Museum Foundation and staff achieved \$26,745 in community donations to fund heating and air conditioning units for the Carriage House. The carriages and wagons at the Museum are invaluable. We have been charged as stewards to preserve them for future generations and with this project we will provide a stable climate & pest controlled environment. The Museum Team anticipates holding a reception this winter to give thanks to our community donors.
- The Museum Team welcomes new volunteer printer Ryan Anderson to the artisan print shop. The Education Committee commissioners have been recruiting museum docents, specifically a young generation of volunteers who are interested in learning the artisan trade crafts.
- 38 students and their parents from a Homeschool Co-Op visited the museum on September 23.
- Museum Director has been working earnestly on the City's new website for the last four months with Workingarts Marketing Inc. - organizing content, implementing design,

coordinating photo shoots & photo selection, and gathering information from Department Managers.

LOOK AHEAD

ADMINISTRATION

- The Finance Officer and City Engineer will focus efforts on the financial information needed for the NV5 Water/Wastewater Impact Fee Study. Potential scenario's has Council consideration of model options in October/November.
- The City Attorney and the City Manager are continuing to research the terms and conditions of the lease for the Downtown Post Office.

FINANCE

- Please note that target dates below are based on my preliminary review of the workload and may be changed as I gather more information on each of them. I have listed them in order of priority (subject to further management direction):
 - Close 2015-16 financial records in preparation for audit – In Progress.
 - Prepare and Submit 2015-16 Annual Street Report to the State – In Progress.
 - Prepare and submit 3rd Quarter Payroll Tax Returns – In Progress.
 - Support impact fee study for water – In Progress.
 - Support impact fee study for wastewater – In Progress.
 - Support rate study for Wastewater – In Progress.
 - Support rate study for Water – In Progress.
 - Assist TOT audits for fiscal year 2015 – In Progress.
 - Assist Sales/Use tax audits for fiscal year 2015 – Ongoing.
 - Assist Business License Tax services for fiscal year 2015 – In Progress.
 - Development of updated OPEB (Other Post-Retirement Employee Benefits) Actuarial Report and Analysis of Prefunding Options– In Progress.

PUBLIC SAFETY

- Staff is working with Bret Harte High School staff to schedule dates for the police service dogs to conduct sniffs of the campus. These are preventative sniffs to assist school staff with maintaining a drug free environment for students.
- Staff is also working with high school staff to schedule training related to active shooters. This training is based on the "ALICE" (Alert, Lockdown, Inform, Counter, Execute) model. See <https://www.alicetraining.com> for more information. Officer Chris Adams, with Officer Chris Johnson assisting will be presenting the training to high school staff. As a reminder, Mark Twain Elementary and Bret Harte High School administration partnered to pay the tuition cost for Officer Chris Adams to attend ALICE instructor training.
- **On Friday, 09/30 Chief Fordahl and Sergeant Poortinga will be attending a one day debriefing training on the Sandy Hook School shooting that occurred in Newtown, CT in 2012. The lead investigator from this incident will be providing insight related to lessons**

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learned in dealing with all aspects of this case. The class is being hosted by the Elk Grove Police Department, and is arranged through the Public Safety Training Institute.

- **09/30 marks the end of the CA Office of Traffic Safety DUI grant. No new grant funding is on the horizon.**

COMMUNITY DEVELOPMENT

- Staff is preparing an Ordinance for the Right to Farm Ordinance for Planning Commission.
- Staff is preparing an Ordinance for the City Council regarding a Rezone that was approved by the Planning Commission.
- Staff received an appeal application for the Medical Cannabis Store.
- In October, City Staff along with Design Workshop will be conducting our second round of Stakeholders and community meetings.

ENGINEERING AND PUBLIC WORKS

- **The large rock dams in Angels Creek will be removed to prevent flooding along the creek. These dams are placed to create swimming holes.**

MUSEUM

- Guided tour for 6 people from the Fresno Mark Twain and Bret Harte Book Club on October 5.
- Living History Day on October 8. History comes alive on the second Saturdays of October, November and December as docents demonstrate their craft in the artisan's exhibits, including carpentry, print shop and weaving.
- The museum will be open on Columbus Day, October 10.
- Self-guided tour for 40 seniors from Sonora's American Stage Tours on October 12.
- On October 15, the Museum will host an outreach booth at the Mark Twain Festival to promote visitation, volunteering, memberships and program attendance. The Foundation will be selling full sheets of commemorative Mark Twain postage stamps for \$20 a sheet.
- On October 16, the Angels Camp Museum will host the Mark Twain Writer's Conference.
- Guided Tour for twelve Red Hat Ladies on October 19.

Incident by Incident Type With Detail

Date Range: From 9/13/2016 To 9/27/2016

Incident Type	Incident Count	Used in Ave. Resp.	Average Response Time HH:MM:SS	Total Loss	Total Value
Fire					
Building fire	1	1	00:06:00	\$75,000.00	\$75,000.00
Brush, or brush and grass mixture fire	1	1	00:12:00		
Total Fire:	2	2	00:09:00	\$75,000.00	\$75,000.00
EMS/Rescue					
Medical assist, assist EMS crew	11	8	00:03:37		
Total EMS/Rescue:	11	8	00:03:37		
Hazardous Condition					
Vehicle accident, general cleanup	1				
Total Hazardous Condition:	1	0			
Good Intent					
Dispatched & cancelled en route	1				
No incident found on arrival at dispatch address	1	1	00:02:00		
Total Good Intent:	2	1	00:02:00		
Total Incident Count:	16	11		\$75,000.00	\$75,000.00

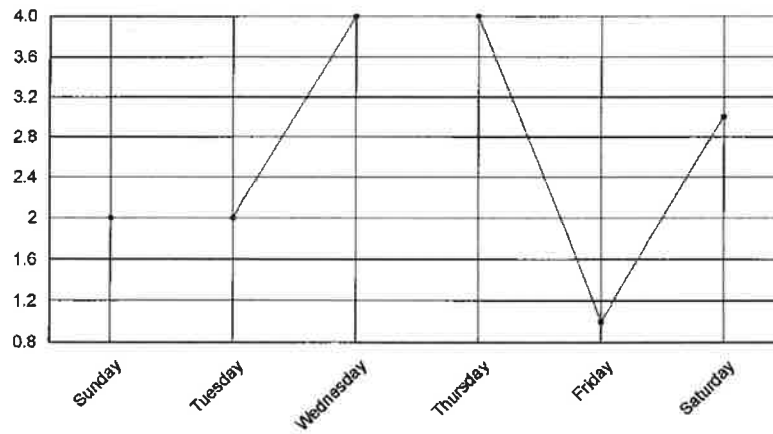
Note: The incident count used in averages does not include the following:

Not completed incidents, Mutual Aid Given, Other Aid Given, Cancelled in Route, Not Priority, Fill-In Standby, No arrival and Invalid Dates/Times.

Incidents by Day of Week

Date Range: From 9/13/2016 To 9/27/2016

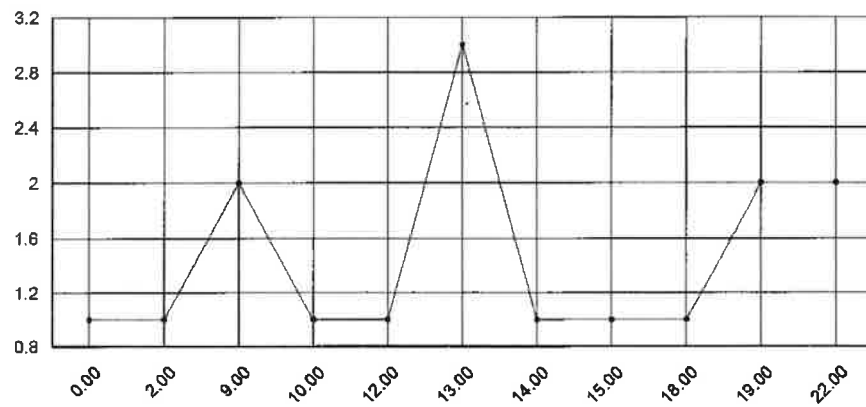
Day of the Week	Number of Incidents
Sunday	2
Tuesday	2
Wednesday	4
Thursday	4
Friday	1
Saturday	3



Incidents by Time of Day

Date Range: From 9/13/2016 To 9/27/2016

Time of Day	Number of Incidents
00:00:00 to 00:59:59	1
02:00:00 to 02:59:59	1
09:00:00 to 09:59:59	2
10:00:00 to 10:59:59	1
12:00:00 to 12:59:59	1
13:00:00 to 13:59:59	3
14:00:00 to 14:59:59	1
15:00:00 to 15:59:59	1
18:00:00 to 18:59:59	1
19:00:00 to 19:59:59	2
22:00:00 to 22:59:59	2
	<u>16</u>



CONSENT AGENDA

**-DRAFT-
CITY OF ANGELS
CITY COUNCIL
MINUTES**

Tuesday, September 20, 2016

Council Members Present: Mayor Wes Kulm, Vice Mayor Folendorf, Council Members Elaine Morris, Bert Sobon and Scott Behiel

Staff Present: Michael McHatten, Dave Hanham, , Julie McManus, Dave Myers, Kim Arth, Todd Fordahl, John Rohrabach and Mary Kelly

4:30p.m. CALL TO ORDER

COUNCIL ADJOURNED TO CLOSED SESSION

The City Council convened to closed session. Chair Kulm reconvened to open session.

6:00 p.m. REGULAR MEETING

PLEDGE OF ALLEGIANCE

ACTION TAKEN IN CLOSED SESSION

PURSUANT TO CALIFORNIA CODE SECTION 54957: Performance Evaluation – City Administrator

Council Action: Discussion ongoing – will continue at close of regular meeting

APPROVAL OF AGENDA

MOTION by Council Member Sobon, seconded by Council Member Behiel and carried 5-0 **APPROVING THE AGENDA AS PRESENTED.**

STAFF UPDATES

Vice Mayor Folendorf asked the City Engineer if there was a plan to replace the wooden benches removed from Utica park. He said there wasn't a replacement plan yet.

COUNCIL UPDATES

Bert Sobon

Attended LAFCO meeting where comments were made on Calaveras County General Plan. Informed Council that all would have to fill out Form 700's before April.

Amanda Folendorf

Attended LAFCO. LAFCO will be hosting an ethics training class on October 14th from 2-4.

Attended CSEDD. Discussed grant for businesses hurt by Butte Fire. A Board of Supervisor representative was appointed.

Wes Kulm

Attended CCOG and ribbon cutting ceremony for the Clothes Mine.

PUBLIC COMMENT

There were no comments from the public in attendance.

FEATURE BUSINESS PRESENTATION

The Get Smart Group, Scott and Ali Reynolds

Scott reported that The Get Smart Group is a digital marketing/consulting agency. He and his wife Ali opened the on-line marketing agency 7 years ago in Los Angeles. They moved to Angels Camp 4 ½ years ago with only the two of them as employees. Today they have 9 employees. They have 100 clients all over the country and can provide service for any small business or agency.

CONSENT AGENDA

MOTION by Council Member Behiel, seconded by Vice Mayor Folendorf and carried 5-0 APPROVING THE CONSENT AGENDA ITEMS AS PRESENTED:

- a. Approve Minutes of Regular meeting for September 6, 2016.
- b. Approve agreement with Blackwater Consulting Engineers to assist the City in renewing their National Pollutant Discharge Elimination System (NPDES) permit.
- c. Adopt Resolution No. 16-34. A resolution updating and adopting the City of Angel's Conflict of Interest Code.

REGULAR AGENDA

1. CITY COUNCIL CANDIDATE INTERVIEWS

The Mayor reported that Amanda Darby-Davis has withdrawn her application for consideration. The Council interviewed the remaining three (3) applicants interested in serving on the Council:

1. Michael Darby
2. Veronica Metildi
3. Lorrie White

After being questioned by Council, the Mayor asked if there were any public present wishing to comment. Kimberly McCarthy from Greenhorn Creek commended the 4 applicants for their interest and said she was impressed with Lorrie White's interview. The Mayor then asked if there were any comments from the Council. Each Council Member expressed their thanks to the candidates for stepping forward to serve.

The Mayor asked Council who would be making a motion. Council Members Sobon, Folendorf, Morris and Behiel all affirmed they would be nominating a candidate. Per the 'chip' process, Council Member Sobon chose #1 and made his motion first.

MOTION by Council Member Sobon, seconded by Council Member Behiel and carried 4-1 APPOINTING VERONICA METILDI TO FILL THE VACANT COUNCIL SEAT – TERM EXPIRING DECEMBER 31, 2020.

Roll Call: Morris {No}, Kulm {Yes}, Sobon {Yes}, Folendorf {Yes}, Behiel {Yes}

2. INTRODUCE ORDINANCE NO. 478. AN ORDINANCE ADDING CHAPTER 8.26 OF THE CITY OF ANGELS MUNICIPAL CODE REGULATING SMOKING WITHIN THE CITY OF ANGELS AND ADDING CHAPTER 17.78.034 CONCERNING ADDITIONAL FINDINGS AND CONDITIONS FOR THE ESTABLISHMENT OF SMOKING OUTPOSTS

The City Attorney explained the background of the Smoking ordinance. Council Member Morris pointed out a typo on page 5 to be corrected. The Mayor asked for comments from the public.

Dr. Dean Kelaita, Michael Magana, Kristee Reesman, Charlotte Wheeler, Kathy Northington, Dave (representative for Team Link Calaveras), Kimberly McCarthy, Sandra Smith, and Kathy Eustis spoke in favor of the Ordinance.

Michael Darby spoke against such a strong ordinance. He thought no smoking signs would be sufficient.

David and Lorrie White stated they were in favor of the ordinance but had concerns on how it would be enforced.

Public Comment was closed.

Council Member Morris asked what the County does on this issue. The County has no such smoking ordinance.

Council Member Behiel asked there be the following exceptions for businesses written into the ordinance:

- Smoking in hotel rooms – this should not be more strict than what the state or federal government allows.
- Exception for smoking in tobacco shops, for theatrical productions.
- Exception for private golf courses

It was suggested that the City Attorney change or add wording to include the exceptions. The Council were in agreement and asked that the Ordinance be brought back for discussion at the October 4th meeting.

3. CONSIDERATION OF A RESOLUTION OPPOSING THE ADULT USE OF MARIJUANA INITIATIVE – COMMERCIAL SALES OF NON MEDICAL MARIJUANA BALLOT MEASURE

The City Administrator explained that the League of California Cities has provided documentation for the City Council to review regarding the pending Adult Use Marijuana Act (AUMA) that is set to be on the ballot this fall. This item is being brought to the Council for consideration but Council isn't required to take a position endorsing or opposing the measure.

Council Member Behiel said he was not comfortable taking initiative on a statewide ballot and felt this was inappropriate. Council Member Sobon said he was in favor of supporting this measure as it reflects the mood of the City brought forward when the Council was hearing the cannabis cultivation issue. Vice Mayor Folendorf said she agrees with Mr. Behiel. She reported she had contacted the League of California Cities and asked what other cities were doing. She was told that it is actually too late to consider because the measure is already on the ballot. Ms. Folendorf said the League of California Cities has taken no position on this and she feels the City of Angels should do the same. Council Member Morris said she agreed with both Behiel and Folendorf. Mr. Sobon stated that the Council is looking at this the wrong way. The City Council is not overstepping bounds. Mayor Kulm said he is uncomfortable with the five council members making a decision on what the best interest is for the entire city on this measure. He doesn't know what the greater part of the City feels.

MOTION by Council Member Sobon to adopt a resolution OPPOSING THE ADULT USE OF MARIJUANA INITIATIVE. Motion died for a lack of a second.

4. ORDINANCE #476 INTRODUCED SEPTEMBER 6, 2016

MOTION BY Council Member Behiel, seconded by Council Member Morris and carried 5-0 ADOPTING ORDINANCE #476. AN ORDINANCE AMENDING TITLE 2, CHAPTER 2.50 OF THE CITY OF ANGELS MUNICIPAL CODE

5. ORDINANCE #477 INTRODUCED SEPTEMBER 6, 2016

Council Member Behiel asked that the definition for new development be changed. The other Council Members were not in favor.

MOTION by Council Member Sobon, seconded by Council Member Folendorf and carried 4-1 with Council Member Behiel voting {NO} ADOPTING ORDINANCE #477. AN ORDINANCE ADDING CHAPTER 17.100 TO THE CITY OF ANGELS MUNICIPAL CODE CONCERNING THE ADOPTION OF FIRE PROTECTION, POLICE SERVICES, TRAFFIC AND PARK, AND IN LIEU PARK IMPACT FEES

CALENDAR

Calendar was reviewed by City Clerk Mary Kelly

ADJOURN TO CLOSED SESSION

MEETING WAS ADJOURNED TO CLOSED SESSION AT 8:50 P.M.

Wes Kulm
Mayor

ATTEST:

Mary Kelly
City Clerk